

January 6, 2012

CERTIFIED MAIL
(7007 1490 0003 4201 2844)

Administrator
Evergreen Court
900 124th Ave NE
Bellevue, WA 98005

Boarding Home License # 1502
Licensee: Downtown Action to Save Housing

AMENDED STOP PLACEMENT ORDER
PROHIBITING ADMISSIONS AND
IMPOSITION OF CIVIL FINES

Dear Administrator:

You previously received a stop placement notice letter dated December 28, 2011. This letter supersedes it and constitutes formal notice of an ***amended*** stop placement order prohibiting admissions and the imposition of civil fines on your boarding home located at **900 124th Ave NE, Bellevue, Washington**, by the State of Washington, Department of Social and Health Services. This action is taken under the authority granted in the Laws of 1998, Chapter 272; RCW 18.20.190.

The stop placement of admissions to your boarding home is based on violations of the Revised Code of Washington (RCW) and Washington Administrative Code (WAC) found by the department at your boarding home. These and other deficiencies will be more fully described in the Statement of Deficiencies report dated December 27, 2011. ***Amended text is written in bold italics.***

WAC 388-78A-2120 (1)(2)(a)(b)(3)(a)(b)(4) Monitoring residents' well-being.

The facility failed to monitor resident well being due to lack of staff direction and training.

This is a repeat or uncorrected deficiency previously cited on March 16, 2011.

WAC 388-78A-2210 (1)(b)(2)(a) Medication services.

The licensee failed to implement a safe medication system.

This is a repeat or uncorrected deficiency previously cited on January 20, 2009.

WAC 388-78A-2320 (2)(a)(b)(c)(d)(e) Intermittent nursing services systems.

The facility failed to ensure that a resident received nursing services to monitor a wound or a critical lab value.

WAC 388-78A-2350 (1)(7)(a)(b) Coordination of health care services.

The licensee failed to coordinate services and care for two residents.

WAC 388-78A-2560 (2) Administrator responsibilities.

The administrator failed to ensure that adequate policies and procedures, systems and training were in place to ensure that staff knew how to safely care for residents since October 1, 2011.

WAC 388-78A-2600 (1)(a)(b)(c)(d)(2)(1)(m)(p) Policies and procedures.

The licensee failed to develop and implement policies and procedures directing staff how to care for residents and failed to ensure that systems were in place to train staff adequately to ensure safe operation of the boarding home, including safe medication delivery, nurse delegation consent and coordination of care.

WAC 388-78A-2600 (1)(a)(b)(c)(d)(2)(1)(m)(p) Policies and procedures.

The facility failed to have policies and procedures directing staff how to care for residents.

WAC 388-78A-2700 (2)(c)(i)(ii) Safety measures and disaster preparedness.

The facility failed to investigate incidents and put a plan in place to protect residents.

The civil fine is based on the following violations of the Revised Code of Washington (RCW) and/or the Washington Administrative Code (WAC) found by the department in your boarding home. These and other deficiencies are more fully described in the attached Statement of Deficiencies report completed by the department on December 27, 2011.

WAC 388-78A-2320 (2)(a)(b)(c)(d)(e) Intermittent nursing services systems.

\$100.00 x 22 days = \$2,200.00

The facility failed to ensure that a resident received nursing services to monitor a wound or a critical lab value.

You may contest the ***additional citations for the stop placement and civil fine*** by requesting an administrative hearing. To do so, the Office of Administrative Hearings must receive your written request for a hearing within twenty-eight (28) calendar days following receipt of this letter. A copy of this letter and a copy of the enclosed Statement of Deficiencies must be included with your request. Send your request to:

**Office of Administrative Hearings
PO Box 42489
Olympia, Washington 98504-2489**

If no hearing is requested, the fine is due twenty-eight (28) calendar days after receipt of this notice. Please remit a check for **\$2,200.00** payable to the Department of Social and Health Services. The check should be sent to:

**DSHS Office of Financial Recovery
PO Box 9501
Olympia, Washington 98507-9501
1-800-562-6114**

If payment has not been received within twenty-eight (28) calendar days after receipt of this notice, interest will begin to accrue on the balance at the rate of one percent per month. If you do not submit a hearing request or make payment within twenty-eight (28) calendar days, the balance due the department will be recovered.

As provided in RCW 18.20, you may request an informal dispute resolution review of enforcement actions initiated in response to a Statement of Deficiencies report. During the informal dispute resolution process you also have the right to present written evidence. A request for informal dispute resolution review will not change the deadline for you to request an administrative hearing. Informal dispute resolution review by the department is not binding in an administrative hearing.

To request an informal dispute resolution review, send your written request to:

**Informal Dispute Resolution Program Manager
Aging and Disability Services Administration
PO Box 45600
Olympia, Washington 98504-5600
Fax (360) 725-3225**

The written request should:

- Identify the citation and/or enforcement action that is disputed;
- Explain why the home is disputing the action;
- Indicate the type of dispute resolution process you prefer (direct meeting, telephone conference or documentation review); and,
- Be sent within 10 working days of your receipt of this notice.

Plan
(Plan of Correction)

A written, acceptable Plan of Correction (POC) for each deficiency cited unless otherwise specified must be submitted to this office within 10 calendar days of your receipt of this report. Your plan of correction should include:

- How the home will correct the deficiency for each numbered resident;
- How the home will protect other residents in similar situations;
- Measures the home will take or the systems it will change to ensure the problem does not recur;
- How the home plans to monitor its ongoing performance to sustain compliance;
- Dates corrective action will be completed (no more than 45 days from the last day of the inspection); and,
- The title of the person responsible to ensure correction.

Please sign the enclosed Statement of Deficiencies report and return it with your completed Plan of Correction to:

Lois Rasmussen, Field Manager
District 2, Unit D
20425 72nd Avenue South, Suite 400
Kent, WA 98032
Phone: (253)234-6020 / Fax: (253) 395-5071

This notice letter continues the stop placement order and is amended to include WAC's listed in bold italics. The initial stop placement order prohibiting admissions to your boarding home was effective immediately upon verbal notice to you on **December 23, 2011** and certified mail receipt of this letter and the attached Statement of Deficiencies report. The stop placement order prohibiting admissions will not be postponed pending an administrative hearing or informal dispute resolution process, as is required by RCW 18.20.190(4). The stop placement applies to all new admissions, re-admissions, and transfer of residents.

During the stop placement, you may not admit any new resident to your boarding home. In addition, you may not allow any resident who was absent from the home due to a temporary non-

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out-patient stay (not including out-patient treatment) at a hospital, nursing home or other treatment center to return during the stop placement unless you obtain advance approval from the department. You may request such approval by contacting Lois Rasmussen, Field Manager at (253) 234-6020.

Because it may not be possible to reach the Field Manager on a weekend or holiday, any pre-approval requests should be made as soon as possible during the business week. Such exceptions are made at the sole discretion of the department on a case-by-case basis. The department may impose sanctions or take other legal action if you fail to comply with the stop placement of admissions.

The department will terminate the stop placement order prohibiting admissions when the violations necessitating the stop placement have been corrected and you exhibit the capacity to maintain adequate care and service.

If you have any questions, please contact Lois Rasmussen at (253) 234-6020.

Sincerely,

Lori Melchiori, Ph.D.
Assistant Director
Residential Care Services

Enclosure

cc: Linda Ronco, Compliance Specialist
RCS Field Manager – District 2, Unit D
RCS District Administrator – District 2
HCS Regional Administrator – Region 2
DDD District Administrator – Region 2
Washington State Long Term Care Ombudsman
Area Agency on Aging, AAA - King
Office of Financial Recovery, Vendor Program Unit
Medicaid Fraud Control Unit
John Ficker, HCS
HQ Central Files